

**To:** Federal Communications Commission

**From:** Janis Sartucci  
Parents' Coalition of Montgomery County, Maryland

**Re:** 48 hours - BusRadio and Montgomery County Public Schools, Maryland

**Date:** June 15, 2009

The following is submitted on behalf of the ParentsCoalition of Montgomery County, Maryland and details our experience with the company BusRadio.

**On November 17, 2008**, Jim Metrock of Obligations, hc. contacted the Montgomery County Public Schools(**MCPS**) Board of Education, Superintendent, Countywide PTA organization and local PTAs to ask about the use of BusRadio on MCPS buses. There was no response to his inquiry from any of the parties that he contacted.

**On December 9, 2008**, the countywide PTA organization, Montgomery County Council of PTAs (**MCCPTA**) sent out a request for parents to serve on a panel to evaluate a product called BusRadio for use on school buses. This request for parent volunteers was the first time MCPS parentscountywide heard of BusRadio in relationto its possible use on county public school buses.

Here was the request for volunteers from MCCPTA:

December 9, 2008

MCPS Department of Transportation is pilot testing a radio program called BusRadio. This is a radio station that plays music and advertisements for elementary, middle and high school students. Todd Watkins, Assistant Director of Transportation, is pulling together a small group of parents, staff and school administrators (who have been in pilot). The purpose of the meeting is to get a sense from the group if there is support to expand to all buses.

The reason MCPS is considering this is due to the range of music bus drivers are playing on the school buses that may or may not be appropriate. I would like three names of parents who would be interested in attending a one-time meeting.

Sign up and you can listen to the shows (does not cost anything). There are AM and PM shows for HS, MS, ES.

[www.busradio.net](http://www.busradio.net)

Please email me offlist if you are interested in serving on this workgroup.

Thanks,  
Kay Romero  
MCCPTA  
[president@...](mailto:president@...)

When this request for volunteers came out, parents in the ParentsCoalition of Montgomery County, Maryland began asking questions. We quickly discovered that this was not a “pilot” at all, but in fact, BusRadio was already in use on our county school buses. We discovered this bygoing to the BusRadio website and seeing the list of participating schools. The list included MCPS elementary, middle and high schools. We also discovered that in order to log in to the BusRadio website students were being prompted to provide the name of their school, their age, their neighborhood and their bus number.

In addition, the BusRadio prompted students to give their parents the name of a BusRadio contact if the parentsobjected to their student’s use of the online features.

A review of minutes of our Board of Education did not turn up any evidence of this product ever being discussed or voted on.

**On December 10, 2008**, we spoke with the Campaign for a CommercialFree Childhood (CCFC) and asked for assistance in understanding what was going on in our county. It was clear that parents had no idea that the BusRadio product was already in use on our county school buses. We saw that National PTA had taken a stand on the use of this product, but were not getting any response from our local countywide PTA organization. In fact, our countywide PTA organization was cooperating with the school systems introduction of this product by supplying parents to a committee.

In response to our request for assistance, the CCFC wrote to our Superintendent, Jerry Weast. The letter was forwarded to the media and **The Washington Post** and **WTOP** radio immediately picked up the story.

On December 11, 2008, the following story ran in**The Washington Post**.

December 11, 2008

## **School Bus Radio Service No Music to Some Parents' Ears**

By Daniel de Vise  
Washington Post Staff Writer  
Thursday, December 11, 2008; B01

For thousands of students in the Rockville area, the daily ride to school is accompanied by a carefully programmed soundtrack: pop hits pruned of profane lyrics, public service announcements about seat belts and a few minutes of advertisements aimed at the school bus demographic.

Montgomery County parents and national children's advocacy groups are questioning the school system's experiment with BusRadio, a private network that broadcasts sanitized music and ads to a captive audience of student passengers.

Consumers Union, the National PTA and other groups oppose exposing students to commercial radio on the bus, time they might otherwise pass in quiet reflection or conversing with friends. BusRadio has revived arguments raised two decades ago against Channel One, a company that offers ad-laden television news broadcasts in classrooms.

Promoters of the radio service say it has proved popular among schools nationwide because it calms and distracts students. Many school bus drivers turn on the radio when they carry passengers, a technique known to reduce bullying and fights.

BusRadio is offered to school systems at no cost, and schools reap 5 percent of ad revenue. That's a bonus for school officials who face budget shortages. In two years, the service has expanded from a startup to 10,000 buses in 24 states. Fifty Montgomery buses have the service, the company's first foray into the Washington region.

"I just thought it was for the bus driver," said Steve Shulman, president of the Needham, Mass., company. "That music does calm the beast."

Shulman said he was inspired to start the company, with a cofounder, after his 8-year-old son came home from summer camp one day and asked about an ad he had heard on the bus for Viagra.

An hour of BusRadio broadcasts contains, on average, four minutes of ads, less than on regular broadcast radio. The music is screened for subject matter and foul language. Ads must be positive and age-appropriate, Shulman said: "If we have apparel companies, they don't tell kids to go out and buy the hundred-dollar sneakers, they tell kids to go out and exercise."

Detractors say BusRadio exists to target ads at children. Parents and consumer advocates nationwide have sought to eliminate advertising from campuses. Some school systems have rejected the service, said Robert Weissman, managing director of the consumer group Commercial Alert, based in the District.

Weissman characterizes BusRadio as "an advertising company masquerading as a satellite radio network that aims to exploit a captive audience of young children." An Alabama consumer group called Obligation Inc. lobbied Montgomery education officials last month against using the company, writing that its true aim was "to sell children's attention to advertisers that BusRadio solely chooses." Another group, the Campaign for a Commercial-Free Childhood, said it sent a

letter to Montgomery Superintendent Jerry D. Weast yesterday urging him to cancel the service.

The county PTA has not taken a position on BusRadio, but President Kay Romero said the group is seeking to learn more.

"You have to be concerned, when your children are a captive audience on the bus, what they're listening to," she said.

The Montgomery system introduced BusRadio in February as a trial, installing units on routes that serve about 6,000 students in the Rockville area, out of 139,000 countywide.

Many bus drivers already played the radio, and parents occasionally complained about objectionable broadcasts. School officials instruct drivers not to play certain stations, based on their content.

"The problem is, there's very little option in the radio world . . . that isn't in some ways offensive," said John Matthews, the system's transportation director. He called BusRadio "innocuous." The service also includes a "panic button" that puts drivers in touch with emergency rescuers, technology the school system could not otherwise afford, he said.

School officials plan to empanel a small group of parents, employees and administrators who have sampled the service to gauge support for expanding it to all of the county's 1,272 buses. Matthews said the only resistance so far has come from drivers, who grow fatigued of the steady diet of Hannah Montana and the Jonas Brothers.

Parent advocates seized on the issue this week, however, in a flurry of e-mails from the activist Parents' Coalition of Montgomery County to elected officials and others, suggesting a battle ahead.

Amy Soukup, 17, a senior at Magruder High School, said BusRadio is neither better nor worse than the melange of broadcast offerings she has heard on the bus in years past.

"We had one bus driver," she recalled, "who was really into jazz and polka." Students, meanwhile, are so varied in their tastes it would be impossible to please them all.

"It's not awful," she said. "I mean, the stuff they play is a little outmoded. It's the big releases from six months ago. . . . Most kids on the bus are listening to their iPods, anyway."

***The Washington Post*** article was the first time parents found out that BusRadio equipment had been installed on MCPS buses in February of 2008, 10 months prior to any hint of the use of this product.

Within hours of this article appearing online and in print, the MCPS Superintendent, Jerry Weast, announced that the use of the BusRadio product was being terminated. According to the WTOP Radio report, Superintendent Weast did not even know the product was in use on MCPS buses.

**WTOP: School System Pulls Plug on BusRadio**  
**Weast said it was news to him that it was on the bus.**  
<http://www.wtopnews.com/?sid=1546906&nid=93>

Later that day, CCFC put out the following press release:

### **Montgomery County Pulls the Plug on BusRadio**

Today, Montgomery County Public Schools (MCPS) decided to terminate their relationship with BusRadio, the controversial company created to force children to listen to commercialized radio broadcasts on school buses around the country. MCPS's decision came after the Campaign for a Commercial-Free Childhood (CCFC) [sent a letter](#) to MCPS superintendent Dr. Jerry Weast urging him to end the use of BusRadio on MCPS school buses. Montgomery County had been using BusRadio in a number of school buses on a trial basis. With 96,000 school bus riders, Montgomery County would have been BusRadio's largest school district. The following is CCFC's statement on Montgomery County's decision:

The Campaign for a Commercial-Free Childhood commends Montgomery County Public Schools for their decision to terminate their relationship with BusRadio. No school district should turn their students over to a company whose stated goal is to "take student-targeted marketing to the next level" or force children to listen to advertisements on their way to and from school.

CCFC also congratulates the Parents Coalition of Montgomery County for their advocacy efforts and for drawing attention to BusRadio's presence in Montgomery County. The events of the past twenty-four hours demonstrate once again that when parents learn the truth about BusRadio, they want no part of it for their children. We hope that parents around the country will continue to utilize

our [BusRadio resources](#) – and those of [Obligation, Inc](#) – to keep their school buses commercial-free.

*The Campaign for a Commercial-Free Childhood is a national coalition of health care professionals, educators, advocacy groups and concerned parents who counter the harmful effects of marketing to children through action, advocacy, education, research, and collaboration among organizations and individuals who care about children. CCFC supports the rights of children to grow up – and the rights of parents to raise them – without being undermined by rampant commercialism. For more information, please visit: <http://www.commercialfreechildhood.org>.*

And the next day, **The Washington Post** came out with a follow up article:

## **Montgomery Schools Cancel Service**

By Daniel de Vise

Washington Post Staff Writer

Friday, December 12, 2008; B02

Montgomery County schools have decided to switch off BusRadio, a private network that provides programmed music and advertising on school buses.

School officials said yesterday they have abandoned a trial of the radio service on 50 buses that carry 6,000 students in the Rockville area, acting in the face of mounting criticism from national advocacy groups and area parents.

BusRadio, based in Needham, Mass., provides wireless radio programming to about 10,000 school buses in 24 states at no charge, a service funded by ad revenues, some of which is shared with schools. Company President Steve Shulman said BusRadio fills a niche by providing age-appropriate music to drivers, who often play regular broadcast radio to quiet their passengers.

Wireless units were installed last winter in Montgomery, the company's first D.C.-area venture.

Activists raised questions this week about the wisdom of exposing a captive student audience to advertising. The national PTA and other groups oppose the service.

Shulman said that bus drivers had been instructed to switch off BusRadio but that they would still be able to broadcast regular AM or FM stations on the buses. He held out hope that the school system would reconsider the service.

"They need to educate people on what BusRadio is," he said.

While this article seemed to indicate that BusRadio would no longer be in use on MCPS buses that proved to be inaccurate information. The BusRadio devices were left on the buses and continued to be used until at least February of 2009. Parents discovered this when an audio recording of a BusRadio broadcast revealed a MCPS bus driver naming his route and the Montgomery County Public Schools that he served.

As of today, MCPS parents do not know if the BusRadio devices are still on MCPS buses.

From the time that countywide MCPS parents were alerted to the use of BusRadio on school buses, to the announcement of the termination of the product was less than 48 hours. The product was placed on buses without discussion or a vote by our Board of Education and without notice or an opportunity for comment by parents.

Thank you for taking the time to review our submission.